

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

F026462 People v. Ayala

The judgment is affirmed with modifications.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F027627 People v. Seamster

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F023988 People v. Rascon

The judgment is affirmed. The judgment of sentence is reversed and the matter is remanded for the trial court to exercise its discretion and determine whether or not to strike prior felony conviction allegations under section 1385, subdivision (a) and *People v. Superior Court (Romero)*, *supra*, 13 Cal.4th 497.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F025275 People v. Phim

The judgment is affirmed. Wiseman, J.

We concur: Vartabedian, J.;

(Concurring and Dissenting opinion by Ardaiz, P.J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F025560 People v. Bustamante, II

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

F027946 In re Lavona J., a Minor

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

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- F026926** **People v. Gomez**
The judgment is affirmed.
By the Court.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F026806** **People v. Guerra**
The judgment is affirmed.
By the Court.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F029401** **Menzies et al. v. Mariposa County Unified School District et al.**
Pursuant to the "Motion To Dismiss," filed on October 23, 1997,
the appeal in the above entitled action is dismissed.
- F028410** **People v. Campos**
Appellant having filed an abandonment and/or request for dismissal
of appeal, IT IS HEREBY ORDERED that the appeal in the above-
entitled action is dismissed.
- F027054** **People v. Koch**
Counsel having failed to request oral argument in the above-entitled
case, oral argument is deemed waived in accordance with the
provisions of a notice heretofore mailed to counsel and the cause is
submitted.